

Meeting Minutes May 6, 2004

Town of Los Altos Hills City Council Regular Meeting

Thursday, May 6, 2004 6:00 P.M.
Council Chambers, 26379 Fremont Road

1. CALL TO ORDER, ROLL CALL, AND PLEDGE OF ALLEGIANCE

Mayor Cheng called the Regular Meeting of the City Council to order at 6:10 p.m. in the Council Chambers at Town Hall.

Present: Mayor Emily Cheng, Mayor Pro Tem Mike O'Malley, Councilmember Bob Fenwick, Councilmember Breene Kerr and Councilmember Dean Warshawsky

Absent: None

Staff: City Manager Maureen Cassingham, City Attorney Steve Mattas, Associate Planner Debbie Pedro, Acting City Engineer/Director of Public Works Dave Ross, Administrative Services Director Sarah Joiner and City Clerk Karen Jost

MOTION SECONDED AND CARRIED: Moved by O'Malley, seconded by Warshawsky and passed unanimously to limit the length of time for public comments to three minutes.

2. APPOINTMENTS AND PRESENTATIONS

- 2.1 Foothill College Measure E Update – Dr. Bernadine Fong, President
Alan Harvey, Vice President of Educational Resources and Instruction
Kurt Hueg, Director of Marketing and Public Relations

Dr. Bernadine Fong, President Foothill College, thanked the City Council for the opportunity to present an update on Measure E building projects and to share the progress that has been made on the campus renovation with the College's neighbors. Fong noted that the completion date for the project is 2008.

Alan Harvey, Vice President of Education Resources and Instruction, presented a power point presentation that included renderings of the proposed new buildings, new campus center, new parking lots and reconfigured campus entry with a water feature. He explained that the new buildings had been designed to maintain the architectural integrity of the college. To date, the project is within budget. Harvey reported that the student center will be replaced due to its proximity to an earthquake fault. The school has received additional funding for the new student center from the State. Harvey concluded his presentation by noting that President Fong has kept her Advisory Council, of which City Manager Cassingham is a member, apprised with project updates.

OPENED PUBIC COMMENT

Dot Schreiner, Saddle Mountain Drive, expressed her concern that the new reconfiguration proposed by Foothill College will have an impact on the pathway easement that was granted to the Town. She requested permission for the Pathway Committee to investigate the situation with the College.

Harvey responded that the College had performed a title search on the property and Facilities Manager John Shultz would be happy to share the information with the Pathway Committee.

CLOSED PUBLIC COMMENT

Council thanked Dr. Fong, Alan Harvey and Kurt Hueg for their presentation.

2.2 Appointment to the Los Altos Senior Center Board of Directors – 1 vacancy

MOTION SECONDED AND CARRIED: Moved by Warshawsky, seconded by O'Malley and passed unanimously to appoint Erle Kirk to serve as the Los Altos Hills representative to the Los Altos Senior Center.

2.3 Appointment to the Parks and Recreation Committee – 2 vacancies

Ben Gikis, applicant, introduced himself to Council. He noted that he has been a resident of Los Altos Hills for thirty-five years and is committed to working on the feasibility of the Committee leveraging the Town's properties and resources for more activities for both children and adults.

MOTION SECONDED AND CARRIED: Moved by O'Malley, seconded by Warshawsky and passed unanimously to appoint Benjamin Gikis to the Parks and Recreation Committee for a four year term.

Council thanked Mr. Gikis.

3. PLANNING COMMISSION REPORT

Associate Planner Debbie Pedro reported that there had been no Planning Commission meeting since the last report.

4. CONSENT CALENDAR

Item Removed: Item 4.8 (public-Dot Schreiner)

MOTION SECONDED AND CARRIED: Moved by O'Malley, seconded by Fenwick and passed unanimously, to approve the remainder of the consent calendar, specifically

4.1 Approval of Minutes: Regular City Council Meeting April 15, 2004

4.2 Review of Disbursements: 04/09/2004 – 04/21/2004 \$61,432.55

4.3 State Budget Update

- 4.4 Investment Report for the Quarter ended March 31, 2004
- 4.5 Approval of Request for a Lot Line Adjustment; Lands of Sindu and Bertrand and Large House LLC; 27060 and 27040 Old Trace Lane
- 4.6 Notification of Fast Track Approval: A Request for a Site Development Permit for a 6,489 square foot New Residence (maximum height 24 feet) and remodel; Lands of Buxton, 27850 Via Feliz
- 4.7 Notification of Fast Track Approval: A Request for a Site Development Permit for a 1,298 square foot addition (maximum height 26 feet); Lands of Lisbonne, 26110 Eucalyptus Lane

Item Removed:

- 4.8 Approval of Records Retention Guidelines for the Town of Los Altos Hills

Dot Schreiner explained that she was very appreciative of the comprehensive guidelines that were before Council for their consideration. She, however, requested the opportunity as a member of the path map group, to review any documents before they were disposed of that pertained to pathways. Schreiner suggested that the additional Committees might be interested in reviewing them also.

City Attorney Mattas explained the destruction process for records noting that a list of proposed documents to be disposed of is usually signed-off by the City Attorney, City Clerk and/or City Manager. The list could be reviewed by the interested Committee (entity of the Town) and they could inspect the relevant documents in a controlled environment.

Following Council discussion, it was agreed that access to the documents to be destroyed would be provided in a controlled environment for review by interested Standing Committee members and the path map group for a two day period to be determined by the City Clerk.

MOTION SECONDED AND CARRIED: Moved by O'Malley, seconded by Warshawsky and passed unanimously to approve the Records Retention Schedule for Los Altos Hills. Resolution No. 22-04

5. UNFINISHED BUSINESS

5.1 Update on Mayor's Goals

5.1.1 New Town Hall – Status Report

Councilmember Kerr reported that the lease for the Bullis School site for temporary quarters for Town Hall operations had been signed.

5.1.1a TBI Update

No verbal report was given at the meeting. Council had before them a memo report from TBI.

5.1.2 Undergrounding of Utilities – Status Report

Council had participated in a Study Session with the Undergrounding Subcommittee at 5pm prior to tonight's Regular Council Meeting.

5.1.3 Master Pathway Map – Status Report

5.1.3a Update on Pathway Map Public Hearing Process

Associate Planner Debbie Pedro reported that the Planning Commission has scheduled this item for discussion at their meeting of June 10, 2004. At that time, the Commission will establish specific dates and times for study sessions with the Pathway Committee.

5.1.4 Storm Water Master Plan – Status Report

Acting City Engineer/Director of Public Works Dave Ross reported that three additional locations had been added to the list for drainage improvements. The draft Master Plan will be presented to Council at their next meeting.

5.1.5 Visit to China to Explore Business Opportunities – Trip Report

Mayor Cheng reported that sixteen people had participated in the trip. The group had visited universities, business incubation parks and attended numerous meetings with business professional and city officials. It was a very successful trip. Mayor Cheng offered to answer questions from residents interested in more information about the trip and her experiences.

5.2 Update on Stonebrook Drive Barriers Between Laura Court and Magdalena Avenue

Acting City Engineer/Public Works Director Dave Ross introduced this item to Council. He explained that Council had before them a report prepared by Planning Director Carl Cahill. Cahill had been directed by Council to investigate the origin of barriers located on Stonebrook Drive. He noted that the barriers had been a requirement by the Town as a condition of approval for the Quarry Subdivision. This segment of Stonebrook Drive is identified as an "Emergency Road Connection" and these roadways are typically closed to through traffic and are designed to be used for vehicular traffic only in the case of emergency.

OPENED PUBLIC COMMENT

Kathleen Justice-Moore, Jabil Lane, explained that she lives very close to this connection and believes that if it was opened for public use it would be an easier route for residents who live on the south side of the Town to access Town Hall. She believes this would provide a stronger sense of community.

CLOSED PUBLIC COMMENT

Following Council discussion, Council concurred that they would take no further action on this item.

5.3 Preferential Parking Districts Fees and Administration

- Request for Reconsideration of Fees for Permitted Parking Permits- Sandy Mingia, Dawnridge Drive

OPENED PUBLIC COMMENT

Sandy Mingia, Dawnridge Drive resident, addressed Council. She thanked Council for their efforts in establishing Dawnridge Drive as a permitted parking street. She was before Council, representing her neighbors, to request that Council reconsider the fee for the initialization fee for parking permits to \$25.00 for five permits per residence versus the \$25.00 for the first permit and \$10 for each additional permit that was established by the adopted resolution.

Resident, Dawnridge Drive, explained that her experiences with church parking in front of her home have been very difficult and unpleasant. She thanked Council for being so supportive of resident requests for assistance with this problem. She added that it is her opinion that some of her neighbors may not be able to afford the fee for permits and it would be very challenging to have to keep returning to the Town for permits.

Staff explained that the permits are good in perpetuity.

Resident, Dawnridge Drive, voiced his opinion that he believed his taxes would pay for the expense the Town has incurred to establish the Permitted Parking Ordinance and regulations and he was surprised at the Town's efforts to recuperate administrative costs for the parking permits.

CLOSED PUBLIC COMMENT

Brief Council discussion ensued. Council concurred that the fee schedule set by the original resolution was fair and appropriate.

6. NEW BUSINESS

6.1 Consideration of a Resolution of Support for the California High-Speed Rail Authority's Use of One of Two Alignments into the San Francisco Bay Area

Councilmember Kerr explained that the resolution before Council for their consideration is well supported by the information in the Councilmember's packet. The resolution supports a Bay Area alignment for the proposed high-speed rail trains.

MOTION SECONDED AND CARRIED: Moved by Kerr, seconded by O'Malley and passed unanimously to adopt the resolution "Supporting the California High-Speed Rail Authority's Use of One of Two Alignments into the San Francisco Bay Area for the State's High-Speed Rail System" as presented by the California Cities Association. Resolution No. 23-04.

7. REPORTS FROM COMMITTEES, SUB-COMMITTEES, AND COUNCILMEMBERS ON OUTSIDE AGENCIES

Councilmember Fenwick reported that he had attended the Community Relations Committee meeting. They are proceeding diligently with plans for the June 6th Town Picnic.

Councilmember Kerr reported that he had attended the VTA Advisory Board meeting for the commuter rail over the Dumbarton Bridge to connect to the CAL Train corridor. He added that this could be a valuable addition to mass transit. Funding would be attained from toll bridge fees.

Mayor Pro Tem O'Malley attended the Santa Clara Valley Water District meeting. The design phase of Adobe Creek Reach 5 as presented by the Collaborative was accepted as a project by the District. The design, as presented, is acceptable to residents of Los Altos and Los Altos Hills.

8. STAFF REPORTS

8.1 City Manager

City Manager Cassingham advised Council that they had before them on the dais a copy of a facsimile transmission from the League of California Cities notifying them of a second Special Meeting of the General Assembly to be held on May 13th in Sacramento. The purpose of the meeting is to provide the Cities a status report on the "Local Taxpayers and Public Safety Protection Act" endorsed by the League and the alternative that the Governor has proposed that would provide similar or better protection of local revenues in return for two years of local cuts that would help the State with their budget deficits. At this time, there are no proposed resolutions to review but they are expected to be available for consideration at the meeting. Cassingham noted that Council had designated her as their voting representative at the initial meeting last year and she advised Council that she would like to continue in this capacity.

Cassingham reported that the Town Hall facilities are scheduled to be moved on June 4th and June 5th. Offices are tentatively scheduled to be closed on June 3rd and June 4th to permit staff appropriate time to prepare and pack for the move. The move plan and closure dates, once confirmed, will be announced in the Town newsletter.

Acting City Engineer/Director of Public Works Dave Ross reported that he had met with Mr. and Mrs. Crowthers regarding their fence and drainage issues. They had appeared before Council and expressed their displeasure with the process in resolving their landscaping and fence issues. Ross announced that the outstanding issues have been resolved to the satisfaction of the Crowthers. Their plans were resubmitted and approved and they are very pleased with the outcome.

8.2 City Attorney

8.3 City Clerk

8.3.1 Report on Council Correspondence

9. COUNCIL-INITIATED ITEMS

9.1 Proclamation Declaring 2004 as the 25th Anniversary of the Hong Kong Ballet – Mayor Cheng

MOTION SECONDED AND CARRIED: Moved by Kerr, seconded by Warshawsky and passed unanimously to approve the Proclamation “Declaring 2004 as the 25th Anniversary of the Hong Kong Ballet.”

10. PRESENTATIONS FROM THE FLOOR

OPENED PRESENTATIONS FROM THE FLOOR

Steve Hubbell, Chair Public Education Committee, expressed his concern that the Los Altos School District is entertaining the option of a long-term lease for the Bullis School. This would eliminate the site as a possible solution to public education in Los Altos Hills. Hubbell requested that the Council schedule a special meeting to consider adoption of a resolution to initiate the process to reorganize the school boundaries in Town. The resolution could potentially act as an impediment to the District accepting a long term lease for the school site. Hubbell explained the redistricting process, noting that it would require an election to redistrict the Town.

City Attorney Steve Mattas explained that the Council had several options as a response to Hubbell’s request: schedule the special meeting; schedule the resolution to a future regular Council meeting; or to take no action. Mattas noted that the under the Brown Act, a special meeting required a 24 hour notice.

Hubbell added that if a special meeting is scheduled, the Public Education Committee would appreciate the Council agendizing the membership appointment to fill the vacancy on their Committee.

Following Council discussion, Council agreed that the appointment could be placed on the May 20, 2004 Regular City Council Meeting agenda.

Dan Alexander, Elena Road, thanked Council for their attendance at the recent fund raiser event sponsored by Supporters of Westwind Community Barn. He advised Council that the Board of Directors of Westwind would be seeking additional funds with their normal budget requests this year.

Duncan MacMillan, Natoma Road, Public Education Committee member, explained that the Committee is very concerned that Los Altos School District is in active negotiation for a long-term lease. He hoped Council would consider scheduling the special meeting.

Cathy Evans, Public Education Committee member, suggested that the Council consider agendizing the issue of a Los Altos Hills children’s library. She explained that if the Charter School is based in Los Altos Hills, this may be an option for a library that could be supported by volunteers. Evans also asked that Council consider the appointment of

Kathleen Justice-Moore to the Public Education Committee. Evans also suggested several ways to notice residents of the proposed Special Meeting including a volunteer telephone network and Hills 2000 mailing list.

Kathleen Justice-Moore, Jabil Lane, introduced herself to Council and explained she was the applicant that had withdrawn her application to the Public Education Committee earlier because of a scheduling conflict. This issue has been resolved and she is resubmitting her application for Council consideration. Justice-Moore offered to help notice residents in the southern section of Los Altos Hills of the proposed Special meeting.

Sandy Humphries, Fremont Road, explained that as a member of the Adobe Watershed Collaborative it has come to her attention that there is a possibility that grant funds might be available to solve the drainage problems at the Bullis School fields and this could possibly be used as leverage in any negotiations for the school site.

Allan Epstein, Ravensbury Avenue, expressed his concern that the proposed redistricting resolution might preempt in some way the rights of residents who are happy with their school district and education. Residents in the southern part of Los Altos Hills consider the Loyola School their “neighborhood school”.

CLOSED PRESENTATIONS FROM THE FLOOR

Council discussed the request from the Public Education Committee Chair for a Special Meeting to consider the proposed school district reorganization resolution. Council expressed their concern that there was not enough time to notice all interested residents of the Special Meeting and that they were being asked to consider reorganization of the school boundaries when their ultimate goal was to save the Bullis School site for public education. It was noted that the Los Altos School District had declined to schedule a meeting with Mayor Cheng and Councilmember Kerr to discuss the option of the Charter School leasing the Bullis site until after the District’s scheduled meeting of May 17th.

Councilmember Kerr explained that the proposed resolution would have no impact on students in the Loyola School boundary. The resolution is a means to alert anyone interested in leasing the site long term of a potential redistricting that would affect the property. He hoped Council would consider listening to the proposal by the Committee.

Steve Mattas, explained that Council would have the benefit of a staff report explaining the framework of the process and the draft resolution if they moved forward with the Special Meeting. Council could take input from the public and then take whatever action they believed was appropriate. He explained that the proposed resolution, if adopted, would initiate the process of reorganization. Mattas explained that there are three methods of commencing this process: 1) Town Council action; 2) School District action; and 3) 25% of the voters within the defined area. Once the process is initiated, it is forwarded to the appropriate County Education Committee, to the State for review and ultimately to the voters. Mattas reminded Council that the only discussion they should have tonight is the consideration to schedule the meeting.

Public Education Committee Chair Steve Hubbell explained that the Committee is asking the City Council to consider putting some additional personal time into listening to this issue and schedule the meeting. The decision on the whether to approve the resolution or not can be made after hearing the input on the matter.

Councilmember Fenwick reiterated his concern that there was not enough time to notice residents of the meeting.

MOTION SECONDED AND CARRIED: Moved by O'Malley, seconded by Kerr and passed by the following roll call vote to schedule a Special Meeting of the City Council on May 12, 2004 at 7:30 pm following the May 12, 2004 Special City Council/Planning Commission Meeting for the New Town Hall which will commence at 6:00pm to discuss the possibility of requesting the Palo Alto Unified School District to incorporate portions of Los Altos Hills into their School District.

AYES: Mayor Cheng, Mayor Pro Tem O'Malley, Councilmember Kerr and Councilmember Warshawsky
NOES: Councilmember Fenwick
ABSENT: None
ABSTAIN: None

11. PUBLIC HEARINGS

None

MOTION SECONDED AND CARRIED: Moved by O'Malley, seconded by Kerr and passed unanimously to adjourn to the Closed Session at 8:31 pm.

12. CLOSED SESSION

CLOSED SESSION: CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION: Government Code Section 54956.9(a): Campbell and Ligeti v. Town of Los Altos Hills

CLOSED SESSION: Pursuant to Government Code Section 54956.8: Conference with Real Property Negotiator -

Property: Bullis-Purissima School, 25890 Fremont Road, Los Altos Hills.
Agency Negotiators: Mayor Emily Cheng, Councilmember Breene Kerr, City Manager Maureen Cassingham and City Attorney Steve Mattas
Negotiating Parties: Town of Los Altos Hills and Los Altos School District
Under Negotiation: Terms and Conditions related to Lease of Property
The City Council reconvened to the Regular City Council Meeting at 8:47 pm.
No action was taken.

13. ADJOURNMENT

There being no further business, the May 6, 2004 Regular City Council Meeting was adjourned at 8:48pm.

Respectfully submitted,

Karen Jost
City Clerk

The minutes of the May 6, 2004 Regular City Council Meeting were approved at the June 2, 2004 Special City Council Meeting.